

## Case Conclusion Data Sheet

Complete

EA #: 02-2015-3102  
Date Entered: 03/30/2015  
ORC Branch: CT

### Information

#### Case and Facility Information

Court or Administrative Docket  
or Index Number

CWA-02-2015-3102

Enforcement Action Name

AES Puerto Rico, L.P.

Additional Respondents,  
PRPs, or Defendants

N/A

Site(s):

AES PUERTO RICO COAL FIRED POWER PLANT AND MARINE  
CARGO HANDLING DOCK FACILITY

Enforcement Action Type

CWA 309(a) AO For Compliance

Primary Statute/Section Violated

CWA 301- 402 NPDES Permit Violations - Stormwater - Non-construction

Other Statutes/Sections

CFR Citations:

40 CFR 122

#### Priority Activity

☒ Core Priority

EPA Lead Attorney

Phyllis Feinmark

ORC-WGLB

(office) 212-637-3232

EPA Program Contact

Jose Rivera

CEPD-MPCB-NIT

(office) 787-977-5842

Violation Type

Violation of a permit requirement or condition. [Note: operation discharge or emission  
be listed under NOPRMT.]

Was this action taken in response to a violation found through an Inspection?

☒ Yes ☐ No

ICIS Inspection Name: AES PUERTO RICO, L.P.

Date: 06/19/2014

Does the action involve Integrated Planning (IP) remedies consistent with EPA's Integrated  
Municipal Stormwater and Wastewater Planning Approach Framework?

☐ Yes ☒ No

Was this a Multi-Media action? (check all that apply)

☐ Yes ☒ No

Is the community impacted by the alleged violation(s) different than the location of the  
Respondent(s)/Defendant(s)?

☐ Yes ☒ No

Do you have reason to believe that environmental justice concerns may be raised?

☐ Yes ☒ No

Was Voluntary Disclosure Policy applied to this action?

☐ Yes ☒ No

Was Alternative Dispute Resolution used in this action?

☐ Yes ☒ No

Conclusion Type

Administrative Compliance Order

Date of Final Order Lodging

Date of Final Order

03/18/2015

Estimated Termination Date

Resolution Code

Unilateral Administrative Order without Adjudication

### Complying Action

Complying Action

### Removal and Restoration

Total Cost: \$0.00

Type

Units

Media

Type

Units

Media

Type

Units

Media

### Reduction of Ongoing Releases

Total Cost: \$300,000.00

Type

☐ Implement BMPs for Industrial Stormwater

Units

☐ Pounds/yr

Media

water (navigable surface)

Pollutant	Amount	National Priority	Regional Priority	OECA Core Pgm
PM/PM10 (PARTICULATE MATTER)	avoidance of air particles being carry out through storm water discharges	NSR/PSD - Coal-fired Power Plants		Yes

Type

Units

Media

Type

Units

Media

### Prevention of Future Releases

Total Cost: \$50,000.00

Type

☐ Plan Implementation

Units

☐ Pounds/yr

Media

water (navigable surface)

Pollutant	Amount	National Priority	Regional Priority	OECA Core Program
PM/PM10 (PARTICULATE MATTER)	prevention of dust in air and grounds	NSR/PSD - Coal-fired Power Plants		Yes

Type

Units

Media

Type

Units

Media

### Work Practices

Total Cost: \$3,400.00

Type

☐ Monitoring

(Enter additional types on separate lines)

☐ Reporting

☐ Work Practices

Injunctive Relief - Old Method

SEP

SEP(s)

Penalty

### Penalty

Final Assesed Penalty (Not including value of any SEP)

EPA \$0.00

State and Local Government \$0.00

For Multi-Media actions, enter the Federal amounts by statute:

Statute

Amount

### Cost Recovery

#### CERCLA Cost Recovery

##### Amount of cost recover awarded

EPA \$0.00

State and Local Government \$0.00

### Summary

#### Case Summary

ADMINISTRATIVE ORDER ON CONSENT, DATED MARCH 18, 2014, ENTERED TO BRING RESPONDENT INTO COMPLIANCE WITH MONITORING, REPORTING, RECORD-KEEPING AND BEST MANAGEMENT PRACTICES REQUIREMENTS OF THE SECTOR GENERAL PERMIT.

### Self Disclosure

#### Self Disclosure Information

Disclosure under Audit Policy? ☐ Yes ☒ No

Disclosure under EPA's Small Business Policy? ☐ Yes ☒ No

### Milestones

#### Description

Frequency Page Due